

BILL ANALYSIS

Senate Research Center
79R11503 DLF-F

H.B. 1508
By: Denny (Harris)
State Affairs
5/5/2005
Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

H.B. 1508 amends the provisions for determining when a report for a lobby expenditure must be filed, and the categorization of some expenditures for food and beverages as a gift. In accordance with Chapter 305.006, Government Code, each lobby registrant is required to file with the Texas Ethics Commission a written, verified report concerning the activities described by this section. H.B. 1508 clarifies that the reporting requirements allow a lobby registrant to use the date of the receipt of the credit card statement as the date by which to determine when to file a report for a particular expenditure, or alternatively use the actual date of the expenditure itself. Additionally, Section 305.006, Government Code, outlines the expenditure categories for reporting and includes a category for food and beverages and a separate category for gifts. H.B. 1508 determines how food or beverages given as gifts are reported to the Texas Ethics Commission.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 305.006(f), Government Code, to provide that this subsection does not apply to a gift of food or beverages required to be reported under Subsection (b)(4) (gift expenditure category to be included in report) in accordance with Section 305.0061(e-1).

SECTION 2. Amends Section 305.0061, Government Code, by adding Subsection (e-1), to provide that, if a registrant or a person on the registrant's behalf and with the registrant's consent or ratification makes an expenditure for food or beverages with a value of \$50 or less intended as a gift for a member of the legislative or executive branch and delivered by first-class United States mail or by common or contract carrier outside the Capitol Complex, the expenditure is considered to be a gift and should be reported under Section 305.006(b)(4).

SECTION 3. Amends Section 305.007(a), Government Code, to make a conforming change.

SECTION 4. Amends Subchapter A, Chapter 305, Government Code, by adding Section 305.0071, as follows:

Sec. 305.0071. INCLUSION OF EXPENDITURE IN REPORT. (a) Sets forth guidelines for determining whether an expenditure is required to be included in a report under Section 305.006 (Activities Report).

(b) Requires an expenditure that is of a character for which, under normal business practice, the amount is not disclosed until receipt of a periodic bill to be included in the report for the reporting period in which the bill is received.

(c) Requires the amount of an expenditure made by credit card to be included in the report for the reporting period in which the expenditure is made or the person receives the credit card statement that includes the expenditure.

SECTION 5. Amends Section 305.024(a), Government Code, to make conforming and nonsubstantive changes.

SECTION 6. Makes application of this Act prospective.

SECTION 7. Effective date: September 1, 2005.